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6 UNITED STATES DISTRICT COURT  
7 WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

8 UNITED STATES OF AMERICA,

9 Plaintiff,

10 v.

11 ARMANDO FIERRO-PONCE,

12 Defendant.

CASE NO. 20-92-JCC

**ORDER DENYING MOTION TO  
REOPEN DETENTION**

13 Before the Court is Defendant's motion to reopen detention. Dkt. 515. Defendant moves  
14 to reopen on the grounds he has new information that materially bears on his detention: A long-  
15 time friend is willing to provide him a place to stay and serve as a third-party custodian, and a  
16 former employer is willing to rehire Defendant. While these are positive factors, the Court finds  
17 they are insufficient grounds to reopen detention and release defendant. The new information  
18 does not overcome the presumption that Defendant is both a danger to the community and a  
19 flight risk. The Court ordered Defendant detained because he is charged with a drug trafficking  
20 offense that carries a presumption of detention. The government averred defendant played an  
21 important role in a large drug conspiracy having direct contact with senior conspiracy members  
22 and participating in the possession of drugs and money. The government proffered defendant  
23 was also involved in the use of violence by the conspirators to collect drug debts. These  
collection activities included the use of firearms and the government proffered defendant

1 possessed and provided firearms. The severity of the offense, Defendant's role and Defendant's  
2 use of force and weapons are not mitigated by the offer of a friend to live at her home or the  
3 offer of a job from a former employer.

4 The risk Defendant poses is buttressed by his significant criminal history including  
5 convictions for harassment, domestic violence and refusing to comply. His criminal activity  
6 appears recent and unabated as he has since April 2019 and July 2020 been charged with theft  
7 six times. The new information Defendant presents does not blunt or address the danger he poses  
8 based upon his past conduct. Additionally, arrest warrants for Defendant's arrest have been  
9 issued in each of his past criminal cases and at the time he was originally detained there were  
10 active warrants for his arrest. The Court also previously found Defendant acknowledges regular  
11 methamphetamine use. Defendant's past failures to appear, and his drug use indicate he is a risk  
12 of failing to appear or to flee.

13 It is therefore **ORDERED**: Defendant's motion to reopen detention, Dkt. 515, is  
14 DENIED.

15 DATED this 17<sup>th</sup> day of June 2021

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BRIAN A. TSUCHIDA  
United States Magistrate Judge